

**PARTICIPATING ADDENDUM**  
**for**  
**STATE OF NEVADA**  
**WESTERN STATES CONTRACTING ALLIANCE**

**ENTERASYS NETWORK SALES & SERVICE**  
**MASTER PRICE AGREEMENT NO. AR-1470**  
**for**  
**DATA COMMUNICATIONS EQUIPMENT**

1. **Scope:** This Participating Addendum adds the State of Nevada as a Participating State to purchase from WSCA Master Price Agreement No. AR-1470 with Enterasys Network Sales & Service. All governmental entities within the State of Nevada including all State Agencies, the University and Community College System, the Court System, Legislative Counsel Bureau, Cities, Counties, Public Schools, Institutions of higher education and political subdivisions are authorized to purchase Data Communications Equipment Products and Services under Master Price Agreement No. AR-1470.

**Political Subdivision Participation:** Participation under this contract by state agencies or political subdivisions (i.e. colleges, school districts, counties, cities, etc.) will be voluntarily determined by the political subdivision. The contractor agrees to supply the political subdivisions based upon the same terms, conditions and prices. State agencies or political subdivisions as described above are not required to use this contract and other sources may be researched.

**Purchase Orders:** Orders for Nevada State Agencies (only) will be placed by formal purchase order issued by the Nevada State Purchasing Division. All orders will be shipped promptly in accordance with delivery guarantee and invoices shall be submitted to Nevada State Purchasing for payment. Invoices and all correspondence related to an individual order will reflect the purchase order number issued by the Nevada State Purchasing Division.

2. **Changes to Master Price Agreement:** The following provision is applicable to this Participating Addendum only and is in addition to the provisions contained in the Master Price Agreement.

**Nevada Quarterly Reporting**

Enterasys Networks Sales & Service, will provide a quarterly sales report showing the gross Nevada sales for the quarterly period just ended to the Primary Contact (Paragraph 4. below) in accordance with the following schedule:

<u>Quarter Ending</u>	<u>Report Due</u>
March 31	April 30
June 30	July 31
September 30	October 31
December 31	January 31

The quarterly report will be subtotaled by Purchasing Entity name by State agency or political subdivision. The quarterly report will also include any adjustments from prior periods, if applicable.

3. **Lease Agreements:** Lease agreement terms and conditions have not been approved for use by Purchasing Entities under this Participating Addendum.

4. **Primary Contact:** The primary state government contact for this participating addendum is as follows:

Contact: Marti Marsh  
State/Political Entity: Nevada State Purchasing  
Address: 209 E. Musser Street, #304  
City, State, Zip: Carson City, NV 89701-3716  
Phone: (775) 684-0180  
Fax: (775) 684-0188  
Email: mmarsh@purchasing.state.nv.us

5. **Price Agreement Number:** All purchase orders issued by Purchasing Entities within the jurisdiction of this Participating Addendum shall include the following: Master Price Agreement Number: AR-1470. All purchase orders shall also reference Nevada State Purchasing Division price agreement number 6768.

This participating addendum and the WSCA Master Price Agreement, Number AR-1470 (administered by the State of Utah) together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Master Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Government Entity:

By: Marti Marsh

Name: Marti Marsh

Title: Senior Buyer

Date: January 14, 2003

Contractor:

By: Thomas Loureiro

Name: Thomas Loureiro

Title: VP & Assistant Secretary

Date: January 15, 2003

Approved by  
Enterasys  
Legal Department  
RWE